

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:**

Lesko *et al.*

Appl. No. 09/430,175

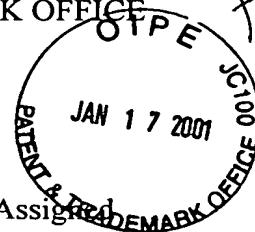
Filed: October 29, 1999

## For: **Multiple Marker Characterization of Single Cells**

Art Unit: 1648

**Examiner:** To Be Assigned

Atty. Docket: 1887.0020001/RWE/KKV



## **Second Supplemental Information Disclosure Statement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' first Supplemental Information Disclosure Statement filed on August 21, 2000 in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over the information provided herewith, and/or to prove that this information may not be prior art. <sup>09430175</sup> d or to prove that this information may not be enabling for the teachings purportedly claimed.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not

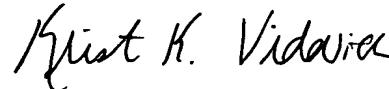
exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application by initialing and returning a copy of the enclosed PTO 1449 is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

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